



11386
The President's Commission
on Executive Exchange
The White House
Post Office Box 14179
Washington, D.C. 20044
(202) 632-6834

Nomination of

for participation in
The President's Executive Exchange Program

Signature of Nominating Official*: _____

(Print)

Name of Nominating Official _____

Title of Above: _____

Agency/Company: _____

Date: _____

*This nomination must be made by the Head of the Executive Agency or company Chief Executive

Has the information contained herein been discussed with the nominee?

Yes No

May the Commission staff discuss the information with the nominee?

Yes No

Comments:

1. Name and position title of nominee	2. How long has nominee been with your company/agency?
3. Describe your professional relationship with nominee	
4. Please state reasons for nominating this individual	

5. What are nominee's strengths?

6. What are nominee's weaknesses?

7. List accomplishments of nominee important to your company/agency

8. Does nominee possess the qualities to become a senior executive in
the company/agency?

Yes

No

(Explain)

9. What type of Executive Exchange assignment would be most valuable to the nominee in terms of his professional and personal development?

10. What type of Executive Exchange assignment (e.g. *functional specialty*) would be most valuable to the company/agency?

11. What position will nominee hold upon completion of the Exchange assignment?
Describe plans for reentry of executive into company/agency

12. Liaison designated to work with nominee and Commission

Name

Title

Address

Phone No.



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Nominee's Biographical Form
(Note: Nomination Form is Also Required)

1. Name:			
2. Position Title			
3. Employing Company/Executive Agency			
4. Company/Agency Address			
6. Home Address		5. Business Phone	/ /
		7. Home Phone	/ / /

I understand that inherent in the President's Executive Exchange Program is the commitment to return to the sponsoring organization at the completion of the exchange year (365 days). This commitment demands that no offer of permanent employment be considered at any time during the exchange process, from initial interviews to reentry into the sponsoring organization.

Name _____

(Signature)

Privacy Act Notice

This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974) for individuals competing for Executive Exchange assignments.

The information furnished on this form is solicited pursuant to authority contained in Executive Order 12136. The primary purposes of the information solicited are to identify and place qualified individuals in Executive Exchange assignments. The information will be shared with private and public sector organizations, as necessary, who participate in the program by providing Executive Exchange assignments.

Furnishing the requested information is voluntary; however, failure to supply all of the requested information may delay or preclude action on your participation.

8. Date and Place of Birth		9. Marital Status		10. If Married, Spouse's Name	
11. Colleges/ Universities Attended	Institution	Location		Major	Degree
12. Other Education or Training					
13. Awards/Scholarships/Honors					
14. Other Activities (Sports, Hobbies, Skills)					
15. Publications					

16. Community Involvement

17. Significant Accomplishments during recent positions

a. Managerial

b. Technical

18. Professional Association Memberships

19. Type of Exchange Assignment Desired

Employment History

Start with present position and work back.

1. Title of Position		
2. Employer		
3. Address		
4. Dates of Employment In Position: From: To:		5. For Federal sector employees: GS grade: _____ Salary: _____ For private sector employees: Base salary: _____ Bonus: _____ Other: _____ TOTAL: _____
6. Number of Employees you supervised		
7. Immediate Supervisor (Name/Title)		
8. Description of Duties:		

1. Title of Position		
2. Employer		
3. Address		
4. Dates of Employment in Position: From: _____ to: _____	5. Starting Salary _____	Final _____
6. Number of Employees Supervised		
7. Immediate Supervisor (Name/Title)		
8. Description of Duties		

1. Title of Position		
2. Employer		
3. Address		
4. Dates of Employment In Position: From: to:	5. Starting Salary	Final
6. Number of Employees Supervised		
7. Immediate Supervisor (Name/Title)		
8. Description of Duties:		

1. Title of Position		
2. Employer		
3. Address		
4. Dates of Employment in Position: From: to:	5. Starting Salary	Final
6. Number of Employees Supervised		
7. Immediate Supervisor (Name/Title)		
8. Description of Duties		

Compliance with the laws on

Conflict of Interest

Commission Statements

Exchange Executive's Receipt Form

Department of Justice Summary of
Public Law 87-849

Excerpts from Executive Order 11222,
Prescribing Standards of Ethical Conduct
for Government Officers and Employees
and Applicable to Presidential
Exchange Executives



The President's Commission
on Executive Exchange

The White House
Post Office Box 14179
Washington, D.C. 20044

October 1979

**To Presidential Exchange
Executives:**

In considering an Exchange Executive's assignment, the Commission staff carefully screens out any assignments that may lead to a conflict of interest situation.

If a question exists, the potential for conflict is explored with counsel for both the private sector organization and Federal Agency involved; the General Counsel of the Office of Personnel Management, and possibly the Department of Justice. If a question remains, the assignment is not made.

The liaison officer of the host organization is directed to make continuing reviews of potential conflicts of interest. If at any time it is determined that a conflict appears to be developing, the Exchange Executive will be transferred to another assignment.

Exchange Executives should become familiar with Federal conflict of interest laws. Private sector executives entering Government service are subject to the same conflict of interest laws and regulations that are applicable to career Federal employees. The conflict of interest statutes continue to apply to a Federal employee while on leave-without-pay.

Study this document carefully and thoroughly. Should you become aware of a possible conflict-of-interest situation or of a situation which gives rise to the appearance of a conflict of interest, you must bring the matter to the attention of the President's Commission on Executive Exchange, and the federal agency's General Counsel or the private sector Legal Counsel.

Avoiding Conflicts of Interest

Here is a summary prepared by the Department of Justice of the main conflict of interest provisions of Public Law 87-849:

A regular officer or employee of the Government—that is, one appointed or employed to serve more than 130 days in any period of 365 days—is in general subject to the following major prohibitions (the citations are to the new sections of title 18):

1. He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (18 U.S.C. 203 and 205).

2. He may not participate in his governmental capacity in any matter in which he, his spouse, minor child, outside business associate, or person with whom he is negotiating for employment has a financial interest (18 U.S.C. 208).

3. He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

4. He may not, for one year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). This temporary restraint of course, gives way to the permanent restraint described in paragraph 3 if the matter is one in which he participated personally and substantially.

5. He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 209).

(This summary is taken from the Department of Justice memorandum Analyzing Provisions of Public Law

87-849, etc. It was reproduced as a part of the Committee Print, Senate Judiciary Committee, 88th Congress, 1st Session, March 1, 1963, p. 14. It will also be found in the note following 18 U.S.C. 201).

Standards of Ethical Conduct

EXECUTIVE ORDER 11222

PRESCRIBING STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

PART I—POLICY

Section 101. Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employee, or adviser of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

PART II—STANDARDS OF CONDUCT

Section 201.(a) Except in accordance with regulations issued pursuant to subsection (b) of this section, no employee shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which—

(1) has, or is seeking to obtain, contractual or other business or financial relationships with his agency;

(2) conducts operations or activities which are regulated by his agency; or

(3) has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Agency heads are authorized to issue regulations, coordinated and approved by the Civil Service Commission, implementing the provisions of subsection (a) of this section

and to provide for such exceptions therein as may be necessary and appropriate in view of the nature of their agency's work and the duties and responsibilities of their employees. For example, it may be appropriate to provide exceptions (1) governing obvious family or personal relationships where the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors--the clearest illustration being the parents, children or spouse of federal employees; (2) permitting acceptance of food and refreshment available in the ordinary course of a luncheon or dinner or other meeting or on inspection tours where an employee may properly be in attendance; or (3) permitting acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans. This shall be effective upon issuance of such regulations.

(c) It is the intent of this section that employees avoid any action, whether or not specifically prohibited by subsection (a), which might result in, or create the appearance of—

- (1) using public office for private gain;
- (2) giving preferential treatment to any organization or person;
- (3) impeding government efficiency or economy;
- (4) losing complete independence or impartiality of action;
- (5) making a government decision outside official channels; or
- (6) affecting adversely the confidence of the public in the integrity of the Government.

Sec. 202. An employee shall not engage in any outside employment, including teaching, lecturing, or writing, which might result in a conflict, or an apparent conflict, between the private interests of the employee and his official government duties and responsibilities, although such teaching, lecturing, and writing by employees are generally to be encouraged so long as the laws, the provisions of this order, and Civil Service Commission and agency regulations covering conflict of interest and outside employment are observed.

Sec. 203. Employees may not (a) have direct or indirect financial interests that conflict

substantially, or appear to conflict substantially, with their responsibilities and duties as Federal employees, or (b) engage in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through their employment. Aside from these restrictions, employees are free to engage in lawful financial transactions to the same extent as private citizens. Agencies may, however, further restrict such transactions in the light of the special circumstances of their individual missions.

Sec. 204. An employee shall not use Federal property of any kind for other than official approved activities. He must protect and conserve all Federal property, including equipment and supplies, entrusted or issued to him.

Sec. 205. An employee shall not directly or indirectly make use of, or permit others to make use of, for the purpose of furthering a private interest, official information not made available to the general public.

Sec. 206. An employee is expected to meet all just financial obligations, especially those—such as Federal, State, or local taxes—which are imposed by law.

**Acknowledgement of Receipt of Summary of Public Law 87-849
and Excerpts from Executive Order 11222 (Parts I and II)**

Date _____ Location _____

To:
Executive Director
President's Commission on Executive Exchange

I have received a copy of the Summary of Public Law 87-849 which deals with conflicts of interest and excerpts from Executive Order No. 11222 which prescribe standards of ethical conduct for Government officers and employees and which are applicable to Exchange Executives.

I understand that during my appointment as an Exchange Executive, I will be subject to this Law and Executive Order. I further understand, that although my appointment as an Exchange Executive will be carefully screened for purposes of insuring compliance with this Law and Executive Order, should I at any time become aware of a possible conflict-of-interest situation or of a situation which gives rise to the appearance of a conflict of interest, I should bring the matter to the attention of the official designated for giving advice and counseling on such matters.

Signature _____

Print Name of Signer _____

Title or Position _____

Company or Agency/Department _____

I have delivered to the Executive whose name appears above a copy of Summary of Public Law 87-849 and excerpts from Executive Order 11222 (referred to above).

Signature _____

Print Name of Signer _____

Title or Position _____